

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE:)	Chapter 11
)	
EASTERN LIVESTOCK CO., LLC, et al.,)	Case No. 10-93904-BHL-11
)	
Debtors.)	
)	
FRIONA INDUSTRIES, L.P.,)	
)	
Plaintiff,)	
)	
v.)	Adversary Proceeding No. 11-59093
)	
EASTERN LIVESTOCK CO., LLC, et al.,)	
)	
Defendants.)	
)	
and)	
)	
CACTUS GROWERS, INC.,)	
)	
Intervenor,)	
)	
v.)	
)	
EASTERN LIVESTOCK CO., LLC, et al.,)	
)	
and)	
)	
J & F OKLAHOMA HOLDINGS, INC.,)	
)	
Intervenor,)	
)	
v.)	
)	
EASTERN LIVESTOCK CO., LLC, et al.,)	
)	
Defendants.)	

TRUSTEE'S NOTICE OF DEPOSITION TO EICKE RANCH II

Please take notice that, pursuant to Fed. R. Civ. P. 30) and Fed. R. Bankr. P. 7030, James A. Knauer, as the trustee (the "Trustee") of Eastern Livestock Co., LLC ("ELC"), by counsel, will take the deposition of Eicke Ranch II beginning at 10:00 a.m. on August 28, 2013 at the Fairfield Inn & Suites, 1459 Knickerbocker Road, San Angelo, Texas before a court reporter authorized to administer oaths. The deposition will be conducted in accordance with the July 3, 2012 *Order Establishing Deposition Protocols* [Main Case, Docket No. 1229]. You are invited to appear and take part in such examination.

Definitions

Definitions applicable to this Notice of Deposition include the following:

1. "You," "your," and "Eicke" means and refers to Eddie Eicke, Johnny Eicke and Eicke Ranch II, collectively and separately, and includes all persons and organizations under your control, including but not limited to your parents, subsidiaries, affiliates, officers, directors, employees, attorneys, accountants, agents, and representatives of any kind.
2. "ELC" or "Eastern" means and refers to Eastern Livestock Co., LLC, and includes its affiliates, members, officers, employees, attorneys, agents, accountants, and representatives of any kind.
3. "Trustee" means and refers to James A. Knauer, as the duly appointed Chapter 11 trustee for Eastern Livestock Co., LLC, and includes his attorneys, agents, and representatives of any kind.
4. "Cattle" means and refers to the 64 head of cattle referenced in paragraph 8 of Defendant Eddie Eicke's First Amended Answer to Friona Industries, L.P.'s First Amended

Complaint in the Nature of Interpleader; and Counterclaims and Cross-Claims filed as Docket No. 203 in the above-captioned adversary proceeding.

Subjects of Examination

Examination is requested on any and all knowledge possessed by or reasonably available to Eicke relating to the following matters:

1. Any agreement, oral or written, relating to or concerning any of the Cattle.
2. The purchase and sale of any of the Cattle to any person or entity.
3. Any payment that Eicke made or received for any of the Cattle.
4. Eicke's business dealings with ELC during 2009 and 2010.
5. Eicke's business dealings with Friona Industries, L.P. or any related entity during 2009 and 2010.
6. Any conversations that any representative of Eicke had with anyone concerning payment for any of the Cattle.
7. Any conversations that any representative of Eicke had with anyone concerning any of the Cattle.
8. All purchase orders, invoices, shipping records, trucking records or other records that relate to any of the Cattle.

FAEGRE BAKER DANIELS LLP

By: /s/ Kevin M. Toner

Counsel for James A. Knauer, Chapter 11 Trustee

Kevin M. Toner (#11343-49)
Harmony Mappes (#27237-49)
Shawna Eikenberry (#21615-53)
Dustin R. DeNeal (#27535-49)
300 N. Meridian Street, Suite 2700
Indianapolis, IN 46204-1750
Telephone: (317) 237-0300
Facsimile: (317) 237-1000
kevin.toner@faegrebd.com
harmony.mappes@faegrebd.com
shawna.eikenberry@faegrebd.com
dustin.deneal@faegrebd.com

CERTIFICATE OF SERVICE

I certify that on August 15, 2013, a copy of the foregoing was served via email on the following counsel of record:

Deborah Caruso on behalf of Third Party Defendant Kathryn Pry
dcaruso@daleeke.com, mthomas@daleeke.com

Kirk Crutcher on behalf of Counter-Defendant Gene Shipman
kcrutcher@mcs-law.com, jparsons@mcs-law.com; cmarschall@mcs-law.com

Robert A. Bell, Jr. on behalf of Counter-Defendant Fifth Third Bank, N.A.
rabell@vorys.com

Kent A. Britt on behalf of Counter-Defendant Fifth Third Bank, N.A.
kabritt@vorys.com

Melissa S. Giberson on behalf of Counter-Defendant Fifth Third Bank, N.A.
msgiberson@vorys.com

James B. Lind on behalf of Counter-Defendant Fifth Third Bank, N.A.
jblind@vorys.com

Joshua N. Stine on behalf of Counter-Defendant Fifth Third Bank, N.A.
jnstine@vorys.com

Shawna M Eikenberry on behalf of James Knauer
shawna.eikenberry@bakerd.com, sarah.herendeen@bakerd.com

Jeffrey R. Erler on behalf of Cross-Claimant DeCordova Cattle Company
jeffe@bellnunnally.com

Jack S Dawson on behalf of Defendants Robert Nichols, Jane Nichols, Nichols Livestock, and Jane, LLC
jdawson@millerdollarhide.com

James E. Smith, Jr. on behalf of Cross Defendant Diamond B Ranches
jsmith@smithakins.com

Todd J. Johnston on behalf of Counter-Claimant Gabriel Moreno
tjohnston@mcjllp.com

James B. Johnston on behalf of Cross Defendants Davis Quarter Horses Bill Davis, Johnny Mayo, Debbie Bynum, Bobby Bynum, Frank Powell, Bynum Ranch Company
bjtexas59@hotmail.com

Erick P Knoblock on behalf of Third Party Defendant Kathryn Pry
eknoblock@daleeke.com

Randall D. LaTour on behalf of Counter-Defendant Fifth Third Bank, N.A.
rldatour@vorys.com, khedwards@vorys.com

John Hunt Lovell.
john@lovell-law.net, sabrina@lovell-law.net; shannon@lovell-law.net; paula@lovell-law.net

John Frederick Massouh
john.massouh@sprouselaw.com

James Edwin McGhee on behalf of Third Party Defendant Vermilion Ranch Corp.
mcghee@derbycitylaw.com, belliott@derbycitylaw.com

Ross A. Plourde on behalf of Third Party Defendants Stockman Oklahoma Livestock Marketing, Inc. and William Bush
ross.plourde@mcafeetaft.com, erin.clogston@mcafeetaft.com

Timothy T. Pridmore on behalf of Counter-Claimant Gabriel Moreno
tpridmore@mcjllp.com, lskibell@mcjllp.com

Walter Scott Newbern
wsnewbern@msn.com

Kevin M. Toner on behalf of James A. Knauer
kevin.toner@bakerd.com, crystal.hansen@bakerd.com; judy.ferber@bakerd.com

Terry E. Hall on behalf of James A. Knauer

terry.hall@faegrebd.com

Harmony A. Mappes on behalf of James A. Knauer

harmony.mappes@faegrebd.com

Laura Day DelCotto on behalf of Third Party Defendants Southeast Livestock Exchange, LLC, Piedmont Livestock, Inc., Moseley Cattle Auction, LLC, and East Tennessee Livestock Center, Inc.

ldelcotto@dlgfirm.com

Amelia Martin Adams on behalf of Third Party Defendant Southeast Livestock Exchange, LLC

aadams@dlgfirm.com

U.S. Trustee

ustpreion10.in.ecf@usdoj.gov

James T Young on behalf of Intervenor Michael Walro

james@rubin-levin.net, ATTY_JTY@trustesolutions.com; lemerson@rubin-levin.net

I further certify that on August 15, 2013, a copy of the foregoing pleading was mailed by first-class U.S. Mail, postage prepaid and properly addressed, to the following:

David M. Jones
Sprouse, Shrader & Smith PC
PO Box 15008
Amarillo, TX 79105-5008

Aaron Miller
Mervin Miller
d/b/a CLF Feeders
2123 W. Mill Street
Buffalo, MO 65622

/s/ Kevin M. Toner